IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

WP(C).No. 4406 of 2007(Y)

PETITIONER:

MANOJ THOMAS,
DILSHANOJ - 15, JAWAHAR NAGAR, TRIVANDRUM-695 041.

BY ADV. SRI.JOSEPH SEBASTIAN PURAYIDAM

RESPONDENTS:

CAN. FIN.HOMES LTD. (CFEL),
THIRUVANANTHAPURAM BRANCH NO.28, 2452,
GROUND FLOOR, M.G.ROAD, THIRUVANANTHAPURAM-695001,
REPRESENTED BY ITS BRANCH MANAGER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.4406 OF 2007-Y

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Dated this the 23rd day of February, 2007.

JUDGMENT

The petitioner challenges action under the SARFAESI Act taken on 16-11-2004. Now, I.A.2671/2007 is filed seeking a direction to a financier to allow the petitioner to sell the mortgaged holding to another person with the consent of the bank. These are matters that should gain attention of the lenders and no writ needs to be issued to govern the parties. The petitioner, if so advised, can move the respondents for appropriate relief. The writ petition fails and the same is dismissed without prejudice.

Sd/-
THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-

-true copy-

P.S.to Judge.